



September 30th, 2005

Western Washington Municipal SW Comments
Bill Moore
WA Dept. of Ecology
Water Quality Program
PO Box 47600
Olympia, WA 98504-7600

Re: Comments on the Draft NPDES Phase II MS4 Annual Report for W. Washington

Dear Mr. Moore,

We appreciate the work that you and Ecology staff have expended to develop the above-noted draft annual report as well as the difficult issues you must address related to the implementation of the Phase II program. As one of the municipalities subject to the Phase II permit, we are concerned about the program's impact on the City as an agency and on the community.

Please find enclosed you will find our comments on the draft annual report. If you have any questions, please contact me at (360) 442-5210 or josh.johnson@ci.longview.wa.us.

Sincerely,

Josh Johnson, PE
Stormwater Manager

cc: Jeff Cameron, Public Works Director

CITY OF LONGVIEW, WASHINGTON
COMMENTS ON DOE'S DRAFT PHASE II MS4 ANNUAL REPORT

Meeting the requirements of 40 CFR 122.35 should be as simple as possible and, ideally, present an opportunity for the Permittee to assess its progress implementing and performance against its Stormwater Management Plan.

Keeping with this philosophy and the Department's request for comments on format rather than content, please consider the following ideas:

Section 1 – General Information

Require the following information in Section 1:

- Permittee Name, Permit #, Reporting Year, Contact and Responsible Official's title, address, email, and phone.
- Notice (if applicable) of reliance on another governmental entity to satisfy any minimum control measures.
- A "written status of compliance with permit conditions" – perhaps signed by the Permittee contact (see explanation below).
- The Responsible Official certification.

Notes

- Omission of items D, F, and G is proposed for the following reasons:
 - ❖ Program description and areas of responsibility are in the SWMP, which is shared, posted, and updated as necessary,
 - ❖ Training information could be shared later in the report.
 - ❖ Expense reporting is an important component of project management. However, its re-compilation slows-up the process and without a concise, standard structure, expenditure information can be an inconsistent, unreliable metric of progress against goals.
 - ❖ Annexations and incorporations are provided in with the GIS and SWMP updates and should be germane to this report only if it causes the Permittee rely on another entity to satisfy certain permit obligations.
- The "status of compliance with permit conditions" could be a statement for the Permittee contact equivalent to that for the Responsible Official, but which eliminates the need for the perfunctory yes/no compliance questions in the current draft. It could have the added effect of holding the Permittees more accountable to the whole process, rather than certain specific questions.

Section 2 – Stormwater Management Plan

The attached performance grid may prove an attractive option for the Department because it summarizes program initiatives and depicts in more detail progress against the Permittee's strategy. The grid should include basic expectations of the Department. However, Permittees should be able to mold it to suit their plan's goals.

Section 4 – Data Collection and other Attachments

A "Section 4" could be added as a simple catalogue of the attachments (such as monitoring data).

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| <i>MINIMUM CONTROL MEASURES, BMPS, GOALS</i> | <i>2005 PERFORMANCE & CHANGES</i> | <i>2006 GOALS</i> |
|---|--|--------------------------|
| <i>Pollution Prevention in Municipal Operations</i> | | |
| Develop and implement an operation and maintenance program that includes a training component and has the ultimate goal of preventing or reducing pollutant runoff from municipal operations; and | | |
| Develop and conduct employee training to prevent and reduce storm water pollution from activities including, but not limited to, park and open space maintenance, fleet and building maintenance, new municipal facility construction and related land disturbances, design and construction of street and storm drain systems, and storm water system maintenance. | | |
| <i>Public Education and Outreach on Storm Water Impacts</i> | | |
| Develop and implement a public education program to distribute educational materials to the community or conduct equivalent outreach activities about the impacts of storm water discharges on water bodies and the steps that the public can take to reduce pollutants in storm water runoff. | | |
| <i>Public Involvement/Participation</i> | | |
| Develop and implement a public involvement/participation program. | | |
| <i>Illicit Discharge Detection and Elimination</i> | | |
| Develop, implement and enforce a program to detect and eliminate illicit discharges [as defined in 40 CFR §122.26(b)(2)] into the permittee's small MS4; | | |
| Develop a storm sewer system map, showing the location of all outfalls and the names and location of all public waters. | | |

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|---|--|--------------------------|
| Effectively prohibit, through ordinance, or other regulatory mechanism, non-storm water discharges into the permittee's storm sewer system and implement appropriate enforcement procedures and actions. Possible sanctions include non-monetary penalties (such as stop work orders), fines, bonding requirements, and/or permit denials for non-compliance. | | |
| Develop and implement a plan to detect and address non-storm water discharges, including illegal dumping, to the permittee's system; | | |
| Inform public employees, businesses, and the general public of hazards associated with illegal discharges and improper disposal of waste; | | |
| Develop a process to respond to and document complaints relating to illicit discharges. | | |

| <i>Construction Site Storm Water Runoff Control</i> | | |
|--|--|--|
| Develop, implement, and enforce a program to reduce pollutants in any storm water runoff to the permittee's small MS4 from construction activities that result in a land disturbance of greater than or equal to one acre that includes: | | |
| i. An ordinance or other regulatory mechanism to require erosion and sediment controls, as well as sanctions to ensure compliance, to the extent allowable under State or local law; | | |
| ii. Requirements for construction site operators to implement appropriate erosion and sediment control best management practices; | | |
| iii. Requirements for construction site operators to prevent or control waste that may cause adverse impacts to water quality such as discarded building | | |

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|--|--|--------------------------|
| materials, concrete truck washout, chemicals, litter, and sanitary waste at the construction site; | | |
| iv. Procedures for site plan review that incorporate measures to prevent or control potential water quality impacts; | | |
| v. Procedures for receipt and consideration of information submitted by the public; and | | |
| vi. Procedures for site inspection and enforcement of control measures. | | |

| <i>Post-Construction Storm Water Management in New Development and Redevelopment</i> | | |
|---|--|--|
| Develop, implement, and enforce a program to ensure reduction of pollutants in storm water runoff to the maximum extent practicable (MEP) from new development and redevelopment projects that disturb one acre or more, or less than one acre if they are part of a larger common plan of development or sale, and discharge into the permittee's small MS4. | | |
| Develop and implement strategies that include a combination of structural or non-structural BMPs appropriate for the permittee's community, and | | |
| (1) Use an ordinance or other regulatory mechanism to address post-construction runoff from new development and redevelopment projects to the extent allowable under State or local law; | | |
| (2) Ensure adequate long-term operation and maintenance of BMPs; and | | |
| (3) Ensure adequate enforcement of ordinance or alternative regulatory program. | | |